A **HOSLAN HUSSIN**

v.

MAJLIS AGAMA ISLAM WILAYAH PERSEKUTUAN

B FEDERAL COURT, PUTRAJAYA
ZULKEFLI MAKINUDIN CJ (MALAYA)
SURIYADI HALIM OMAR FCJ
ZALEHA ZAHARI JCA
[CIVIL APPLICATION NO: 08(i)-516-11/2011 (W)]
C 5 APRIL 2012

CIVIL PROCEDURE: *Contempt of court - Contempt proceedings - Deliberate attack on judges by throwing slippers towards bench - Contempt on face of the court - Gravity of offence - Whether stiff custodial sentence* D *warranted*

CIVIL PROCEDURE: *Contempt of court - Contempt proceedings - Whether acts of contemnor interfered or tended to interfere with course of justice - Whether elements of contempt fully set out for contemnor to show* E *cause - Whether contemnor given opportunity to be heard - Whether contemnor gave sufficient explanations*

The court instituted a contempt proceeding on its own motion against the applicant, for contempt in the face of the court, to wit, the applicant had thrown a pair of shoes towards the Bench, with F one hitting the shoulder of the deputy registrar on duty, following his dissatisfaction with the court's decision. Subsequent to the incident, a show cause letter was sent to the applicant together with the charge framed against him wherein he was essentially asked to show cause as to why he should not be committed for G contempt in the face of the court and to appear before the court for the contempt proceedings to be instituted against him. At the hearing, the applicant, in explanation to the show cause letter, expressed regret over the incident and asked for forgiveness citing disappointment over the dismissal of his case without being H afforded an opportunity to fully ventilate his case as the cause of his actions. Nevertheless, the court found the applicant guilty of the offence. In mitigation, the applicant pleaded for the court to consider the emotional angle stating that he had regretted his actions in that he had acted on the spur of the moment. Further, I the applicant said that he had seven children and was 46 years old and thus impressed upon the court not to impose a custodial sentence.

Held (finding the applicant guilty and sentencing him to one year imprisonment)
Per Zulkefli Makinudin CJ (Malaya) delivering the judgment of the court:

(1) What is of paramount importance in contempt of court proceedings is that the alleged contemnor be given the opportunity of being heard before he is punished and the elements of contempt are fully set out for him to show cause. On the facts, the applicant was informed that the court would proceed in a summary manner on the basis that the court found a *prima facie* case that his conduct and the act as framed in the charge constituted contempt *ex facie*. The applicant gave an unsworn statement after the charge was read to him. (paras 6-8)

(2) It is trite that in order to constitute contempt in the face of the court, the words or acts must interfere or tend to interfere with the course of justice. Although, the power of summary punishment for the contempt in the face of the court should be exercised sparingly, the court will not decline to exercise its jurisdiction and mete out justice accordingly where there appeared a strong unrebutted case. In this regard, the power of the court to punish is enshrined in art. 126 of the Federal Constitution and s. 13 of the Courts of Judicature Act 1964. (paras 3-5)

(3) The decision or order made by a court of competent jurisdiction must be accepted and respected and any criticism levelled against the judge or the court's judgment must be within the limits of reasonable courtesy and good faith. The applicant in the instant case had clearly scandalised the court by his conduct and disorderly behaviour. A scurrilous attack on the presiding judges to show his frustration and disgust at the decision which was unfavourable to him was clearly an affront to the impartiality of the judges of the apex court and to the judiciary as an institution. Such a serious and deliberate attack clearly had undermined the dignity and authority of the court which could not, and must not, be condoned. (paras 15 & 16)

(4) In the circumstances, only a stiff custodial sentence meted out on the contemnor would redeem the dignity of the honourable apex court. Hence, the appropriate sentence was the imprisonment term of one year. In meting out the sentence, the court had taken into consideration that the contempt on the face of the court committed by the applicant before the court was a very serious offence and an affront to the administration of the justice system. Mere apology by the applicant had not lessened the gravity of the offence. Hence, the sentence was meted out to protect and preserve the power, respect and dignity of the apex court. (paras 14-15)

Bahasa Malaysia *Translations Of Headnotes*

Mahkamah memulakan prosiding penghinaan atas usulnya sendiri terhadap pemohon, bagi penghinaan di hadapan mahkamah, di mana, pemohon telah membaling sepasang selipar ke arah Anggota Persidangan, dengan salah satunya terkena bahu Timbalan Pendaftar bertugas, akibat daripada ketidakpuasan hatinya dengan keputusan mahkamah. Selepas kejadian tersebut, satu surat tunjuk sebab dihantar kepada pemohon bersama dengan pertuduhan yang dikenakan terhadapnya di mana dia pada asasnya disuruh menunjukkan sebab mengapa dia tidak boleh dipersalahkan atas penghinaan di hadapan mahkamah dan hadir di mahkamah bagi prosiding penghinaan dimulakan terhadapnya. Semasa perbicaraan, pemohon, dalam penjelasannya kepada surat tunjuk sebab tersebut, menyatakan kekesalannya terhadap kejadian tersebut dan meminta maaf dan menyatakan bahawa perasaan kecewa atas penolakan kesnya tanpa diberikan peluang untuk mengemukakan kesnya secara menyeluruh adalah sebab beliau bertindak sebegitu. Walaubagaimanapun, mahkamah mendapati pemohon bersalah atas kesalahan tersebut. Dalam mitigasi, pemohon merayu kepada mahkamah untuk mempertimbangkan sudut emosi dan menyatakan bahawa beliau menyesali tindakannya dan bahawa beliau telah bertindak tanpa dirancang. Selanjutnya, pemohon menyatakan bahawa beliau mempunyai tujuh orang anak dan sudah pun berumur 46 tahun dan dengan itu menekankan supaya mahkamah tidak mengenakan hukuman pemenjaraan.

Diputuskan (mendapati pemohon bersalah dan menjatuhkan hukuman penjara satu tahun)
Oleh Zulkefli Ahmad Makinudin HB (Malaya) menyampaikan penghakiman mahkamah:

(1) Apa yang sangat penting dalam prosiding penghinaan mahkamah adalah bahawa penghina yang didakwa diberikan peluang untuk didengar sebelum dihukum dan unsur-unsur penghinaan dikemukakan secara penuh bagi membolehkan beliau menunjukkan sebab. Di atas fakta, pemohon diberitahu bahawa mahkamah akan meneruskan secara terus atas dasar mahkamah mendapati kes *prima facie* bahawa tindakan dan kelakuannya seperti yang dikemukakan di dalam pertuduhan membentuk penghinaan *ex facie*. Pemohon memberikan kenyataan tidak bersumpah selepas pertuduhan dibacakan kepadanya.

(2) Adalah matan bahawa untuk membentuk penghinaan di hadapan mahkamah, perkataan atau tindakan tersebut mesti mengganggu atau berkecenderungan untuk mengganggu perjalanan keadilan. Walaupun kuasa hukuman terus bagi penghinaan di hadapan mahkamah perlu dilaksanakan secara berhati-hati, mahkamah tidak akan menolak untuk melaksanakan bidang kuasanya dan menjalankan keadilan sewajarnya di mana terdapat kes kukuh yang tidak dipatahkan. Berkaitan dengan ini, kuasa mahkamah untuk menghukum termaktub di dalam perkara 126 Perlembagaan Persekutuan dan s. 13 Akta Mahkamah Kehakiman 1964.

(3) Keputusan atau perintah dibuat oleh mahkamah dengan bidang kuasa kompeten mesti diterima dan dihormati dan apa-apa kritikan yang diberikan terhadap hakim atau penghakiman mahkamah mestilah di dalam rangkuman kesopanan dan budi bicara yang munasabah. Pemohon di dalam kes ini telah dengan jelas menghina mahkamah dengan tindakan dan kelakuannya yang biadab. Serangan yang biadab ke atas hakim yang bersidang untuk menunjukkan kekecewaan dan kemarahan terhadap keputusan yang tidak memihak kepadanya adalah jelas satu penghinaan terhadap kesaksamaan hakim mahkamah tertinggi dan badan kehakiman sebagai satu institusi. Serangan yang serius dan disengajakan sebegitu jelas menjejaskan martabat dan kuasa mahkamah yang tidak boleh dan tidak harus dibiarkan.

(4) Dalam keadaan sedemikian hanya hukuman pemenjaraan tegar yang dijatuhkan ke atas penghina akan menebus maruah mahkamah tertinggi yang mulia ini. Dengan itu, hukuman yang wajar adalah pemenjaraan selama satu tahun. Dalam melaksanakan hukuman tersebut, mahkamah telah mengambil kira bahawa penghinaan di hadapan mahkamah adalah kesalahan yang amat serius dan penghinaan terhadap pentadbiran sistem keadilan. Permintaan maaf semata-mata oleh pemohon tidak mengurangkan keseriusan kesalahan tersebut. Maka hukuman tersebut dilaksanakan untuk melindungi dan memelihara kuasa, kehormatan dan maruah mahkamah tertinggi.

Case(s) referred to:
Joseph Orakwue Izuaora v. R [1953] AC 327 ***(refd)***
R v. Davison [1821] 4B & Ald 329 ***(refd)***

Legislation referred to:
Courts of Judicature Act 1964, s. 13
Federal Constitution, arts. 10(2), (6), 126
Rules of the High Court 1980, O. 89

For the applicant/contemnor - Karpal Singh; M/s Karpal Singh & Co
For the respondent - Zulkifli Che Yong; M/s Zulkifli Yong Azmi & Co
Watching brief for the Bar Council - Arthur Wang Ming Way
Watching brief for the AG's Chambers - Suzana Atan; SFC

Reported by S Barathi

JUDGMENT

Zulkefli Makinudin CJ (Malaya):

[1] This is a contempt proceeding instituted by this court on its own motion against the applicant, Hoslan bin Hussin. It is necessary at the outset to set out the background facts of relevance prior to the institution of this contempt proceeding against the applicant and they are as follows:

(1) In Originating Summons No. S-21NCVC-129-2011 ("the OS application") filed before the High Court at Kuala Lumpur, the respondent Majlis Agama Islam Wilayah Persekutuan ("MAIWP") as the plaintiff obtained an order for possession of land under O. 89 of the Rules of the High Court 1980

on 23 June 2011 against the applicant as the defendant. The applicant was required to vacate the housing quarters on the said land provided by MAIWP for him to stay while holding the post of an Imam and a notice to deliver vacant possession dated 29 September 2011 was sent to him.

(2) The applicant at the hearing of the OS application before the High Court did not file any affidavit-in-reply but only submitted orally before the court. He was not represented by counsel.

(3) The applicant was appointed by the respondent as the Imam of the Ar-Rahimah Mosque, Kampong Pandan, Kuala Lumpur between the years 2007 to 2008. The service of the applicant as the Imam was later terminated by the respondent.

(4) The applicant had never challenged the termination of his service as the Imam by the respondent at any of the courts having such jurisdiction either before the Civil Court or the Syariah Court.

(5) The applicant appealed to the Court of Appeal against the decision of the High Court in the OS application giving vacant possession of the housing quarters to the respondent. The Court of Appeal dismissed the applicant's appeal with no order as to costs.

(6) The applicant filed an application for leave to appeal before the Federal Court against the decision of the Court of Appeal dismissing his appeal. The applicant filed by way of a notice with various documents attached to it but without a supporting affidavit.

(7) At the outset of the hearing of the applicant's leave application before this court on 22 February 2012, learned counsel for the respondent raised a preliminary objection that the motion papers of the applicant were not in order and there was non-compliance with the rule of procedure relating to the filing of leave application to appeal before this court.

(8) Having heard the submissions of learned counsel for the respondent and the reply by the applicant, this court allowed the preliminary objection of the respondent. The applicant's leave application was therefore dismissed with no order as to costs.

(9) As soon as the decision of this court was delivered the applicant was seen to have voiced his dissatisfaction by making unwarranted remarks against the Bench followed by his act of throwing his pair of shoes towards the Bench, one of which hit the shoulder of the deputy registrar on duty who was seated in front and below the Bench of this court.

(10) This court having noted the sudden change of behaviour of the applicant directed the policeman on duty at the court to restrain the applicant but it took the policeman quite some time to bring the applicant under control. It must be mentioned here that there were other cases fixed for hearing before the court on that day and were to be heard after the disposal of the applicant's case.

(11) We were aware that the applicant had already committed the act of contempt in the face of the court when he made the unwarranted remarks and throwing his shoes towards the Bench.

(12) Notwithstanding that the applicant had clearly committed contempt in the face of the court, we were of the view it was not appropriate at that point of time to immediately proceed with the contempt proceeding against the applicant. We noted that the applicant was restless and not in control of himself to face the contempt proceeding. We had to adjourn and stood down the hearing of other civil applications fixed for that morning in order to allow the court room to be placed back in order by removing the applicant out of the court room.

(13) On 5 March 2012 a presiding member panel of the Federal Court which heard and dismissed the applicant's case on 22 February 2012 directed the Deputy Registrar of the Federal Court to issue a show cause letter to the applicant why he should not be committed for contempt in the face of the court over his conduct and act of throwing his shoes towards the Bench.

For completeness we reproduce in full the said show cause letter as follows:

5 March 2012

Encik Hoslan bin Hussin
B-0-2, PPR Cochrane Perkasa
Jalan Nakhoda Yusof
55100 Kuala Lumpur

Notis Tunjuk Sebab:

Mahkamah Persekutuan Permohonan Sivil No. 08-516-11/2011(W)

(Mahkamah Rayuan Rayuan Sivil No.: W-01 (IM)(NCVC)-426-2011)

Haji Hoslan bin Hussin ... Pemohon

lwn.

Majlis Agama Islam Wilayah Persekutuan ... Responden

Adalah saya diarahkan oleh YAA Hakim Besar Malaya untuk membawa perhatian tuan berkenaan perkara di atas dan pada kejadian ketika perbicaraan di Mahkamah Persekutuan pada 22 Februari 2012. Kejadian yang dimaksudkan adalah seperti berikut:

i. Pada 22 Februari 2012 iaitu pada jam 9.00 pagi, tuan berada di Mahkamah Persekutuan untuk menghadiri perbicaraan kes 08-516-11/2011(W) Haji Hoslan bin Hussin lwn Majlis Agama Islam Wilayah Persekutuan, yang melibatkan tuan sebagai Pemohon dalam permohonan ini.

ii. Setelah kes tuan dipanggil di hadapan panel yang dianggotai oleh YAA Tan Sri Dato' Zulkefli bin Ahmad Makinudin, YA Datuk Suriyadi bin Halim Omar dan YA Datin Paduka Zaleha binti Zahari pada jam 10.00 pagi, peguam bagi pihak responden telah mengemukakan hujahan bantahan awal terhadap permohonan tuan kepada Mahkamah dan diikuti dengan Hujahan Balas oleh tuan pada jam 10.10 pagi.

iii. Setelah mendengar hujahan kedua-dua belah pihak, Mahkamah telah membuat dan membacakan keputusannya menolak permohonan tuan dan seterusnya tuan telah bertindak membaling sepasang selipar yang dipakai oleh tuan di dalam Mahkamah ke arah panel hakim dan salah satu selipar tersebut kena pada seorang Timbalan Pendaftar Mahkamah Persekutuan yang bertugas pada ketika itu.

2. Adalah didapati bahawa tindakan tuan adalah suatu tindakan yang menghina Mahkamah. Tuan adalah dituduh seperti berikut:

Bahawa kamu, Hoslan bin Hussin (660103-08-6171), pada 22 Februari 2012 pada jam 10.15 pagi hingga jam 10.30 pagi di dalam Mahkamah Terbuka 1, Mahkamah Persekutuan Malaysia, Aras 2, Istana Kehakiman, Presint 3, di negeri Wilayah Persekutuan Putrajaya, telah bertindak menghina Mahkamah dengan membaling sepasang selipar ke arah panel Hakim ketika Mahkamah sedang bersidang dan dengan demikian melakukan suatu kesalahan menghina Mahkamah yang boleh dihukum mengikut undang-undang,

3. Atas pertuduhan di atas, tuan diminta menghadirkan diri ke Mahkamah Persekutuan yang akan bersidang di Mahkamah Terbuka 1, Istana kehakiman di Putrajaya pada 8 Mac 2012 (Khamis) pada jam 9.00 pagi untuk tunjuk sebab mengapa Mahkamah tidak boleh mengambil tindakan terhadap tuan atas kesalahan menghina Mahkamah.

Sekian, terima kasih.

"Berkhidmat Untuk Negara"

Saya yang menurut perintah,

t.t.

(Jumirah binti Marjuki)
Timbalan Pendaftar
Mahkamah Persekutuan
Putrajaya.

(14) Essentially in the said show cause letter dated 5 March 2012 it was brought to the attention of the applicant the shoes throwing incident that took place on 22 February 2012 together with the charge framed against him. The applicant was asked to show cause why he should not be committed for contempt in the face of the court and to appear before this court on 8 March 2012 at 9am for the contempt proceeding to be instituted against him.

[2] On the contempt proceedings to be taken against the applicant as the contemnor, we are of the view that the circumstances and categories of facts which may arise and which may constitute contempt in the face of the court in a particular case are never closed. Contempt in the face of the court may arise from any act, any conduct, any slander, any contemptuous utterance and any act of disobedience to a court order. Any of these acts in varying degrees that affects the administration of justice or may impede the fair trial or bringing the court into disrepute whether for the time being pending in any court can be deemed to be contempt in the face of the court. It has been said that there is no rigid formula as to what constitutes contempt in the face of the court. Lord Tucker on this point in the case of *Joseph Orakwue Izuaora v. R* [1953] AC 327 at p. 336 had this to say:

> It is not possible to particularize the acts which can or cannot constitute contempt in the face of the Court.

[3] In any event, it is our view that in order to constitute contempt in the face of the court the words or acts must interfere or tend to interfere with the course of justice. To constitute contempt in the face of the court, it appears unnecessary that the act of contempt should take place wholly or in part in a court room itself nor does it seem to be necessary that all the circumstances should be within the personal knowledge of the judicial officers dealing with the contempt. We are also of the view that it is for the court to consider and decide whether it is imperative to invoke the summary procedure of contempt proceedings against the alleged contemnor immediately after having taken cognizance of the act committed or adjourned the contempt proceedings to a later date. There may be circumstances wherein it may not be suitable and appropriate for the contempt proceedings to be proceeded forthwith against the alleged contemnor immediately after the act was committed.

[4] It is settled law that the court will not readily as a matter of course exercise its power of summary punishment for the contempt in the face of the court and it has been reiterated time and again that the power should be exercised sparingly. However this must not be taken to mean that in a case in which a strong unrebutted case exists, the court will invariably decline to exercise

jurisdiction and mete out justice accordingly. This power is emphatic and imperative. Abbot CJ in *R v. Davison* [1821] 4B & Ald 329 at p. 333 on this point, *inter alia* stated:

> It is utterly impossible that the law can be (properly) administered if those who are charged with the duty of administering it, have no power to prevent instances of indecorum from occurring in their presence. That power is vested in judges not for their personal protection but for that of the public. And a judge will depart from his bounden duty if he forbears to use it when occasion arises which call for its existence.

[5] As regards the power of this court to punish any contempt of itself such power is enshrined in art. 126 of the Federal Constitution and s. 13 of the Court of Judicature Act 1964 both of which provide that "The Federal Court, the Court of Appeal and the High Court shall have the power to punish any contempt of itself." Article 10(2) of the Federal Constitution provides that Parliament may impose any restriction by law relating to contempt of court. So far, no special law on contempt of court has been enacted under the said art. 10(2).

[6] It is our judgment, what is of paramount importance in a contempt of court proceedings is that the alleged contemnor be given the opportunity of being heard before he is punished and that the elements of contempt are fully set out for him to show cause. The alleged contemnor shall therefore give explanations to the court and that in our view will tantamount to show cause. The alleged contemnor may choose to give explanations by way of evidence on oath and be cross-examined or he can even give an unsworn statement or alternatively remain silent.

[7] At the outset of the hearing of the contempt proceedings in the present case we informed the applicant, as the alleged contemnor, that this court was proceeding with the contempt proceeding in a summary manner on the basis that the court found *prima facie* that his conduct and the act as framed in the charge constitute contempt *ex facie* or contempt in the face of the court. The charge was read to him. After the charge against the applicant was read which he understood, the court asked him to give explanations why action could not be taken against him for contempt in the face of the court.

[8] The applicant gave an unsworn statement in his explanations to the show cause letter issued against him and towards the charge framed. The applicant expressed his regret over the incident and asked for forgiveness. He stated amongst others that he was disappointed over the result of his case being dismissed by the court without giving him the opportunity of fully ventilating his case.

[9] Having heard and studied the explanations given by the applicant to the show cause letter and the charge framed against him, we found that he had failed to give sufficient explanations. We therefore found him guilty for the offence of contempt in the face of the court.

[10] Before the court proceeded to mete out sentence against the applicant as the contemnor, we allowed him and his counsel to put forward his plea of mitigation for the consideration of the court. Mr. Karpal Singh who appeared for the applicant at the stage of the contempt proceedings submitted on behalf of the applicant that the emotional angle must be considered and the court must act with circumspection. The applicant had acted on the spur of the moment. He regretted what had happened. The applicant is forty six (46) years old, married and has seven children. He is currently working with the Department of Environment. Learned counsel for the applicant impressed upon this court not to impose a custodial sentence and ought to seriously consider a reprimand to serve the ends of justice. The applicant was thereafter asked whether he wished to add further to the submission made by his counsel. He merely added by stating that he was really confused over the conduct of the proceedings before this court and again asked for forgiveness over the shoes throwing incident that had taken place.

[11] Senior Federal Counsel, Puan Suzana Atan appearing for the Attorney General whom we had earlier informed to appear in the contempt proceeding submitted that the court should pass a deterrent sentence to reflect the gravity of the offence committed by the applicant. The act of the applicant affects the administration of the justice and has brought ridicule to this court. A custodial sentence is warranted in this case considering the fact that the applicant as the contemnor is a public servant.

[12] Mr. Arthur Wang, appearing for the Malaysian Bar Council submitted that while the Bar held that leniency should be granted in appropriate circumstances, in the present case however the act of throwing shoes by the contemnor towards the Bench of the Federal Court being the apex court of the land was not one of them. The Malaysia Bar Council took the view for the present case, a deterrent custodial sentence should be meted out against the contemnor.

[13] We then adjourned the proceedings for half an hour with a view to giving consideration of the plea of mitigation of the contemnor before passing sentence.

[14] Upon due consideration of the plea of mitigation made by learned counsel for the applicant and the applicant himself and having heard the submission on sentencing by learned counsel appearing on behalf of the Attorney General and learned counsel appearing for the Malaysian Bar Council, we found that the appropriate sentence in the circumstances of this case to be passed on the applicant as the contemnor was an imprisonment term of one year. We therefore sentenced the contemnor to serve a sentence of one (1) year imprisonment.

[15] In passing sentence we had taken into consideration of the fact that contempt in the face of the court that had been committed by the contemnor before this court is a very serious offence and an affront to the administration of the justice system. The conduct or act of any person found to be in contempt of court is a matter which at all costs should not be left unchecked and unpunished. Such act or conduct must not be allowed to reach a level that it may undermine the authority of the court and lower the dignity of the court in the eyes of the public. Any criticism levelled against the judge or the court's judgment must be within the limits of reasonable courtesy and good faith. The decision or order made by a court of competent jurisdiction must be accepted and respected until such decision or order is set aside.

[16] In the present case the contemnor had clearly scandalized the court by his conduct and disorderly behaviour. A scurrilous attack on the presiding judges to show his frustration and disgust at the decision which was unfavourable to him, was clearly an affront to the impartiality of the judges of the apex court and to

the judiciary as an institution. Such a serious and deliberate attack clearly had undermined the dignity and authority of this court which cannot, and must not, be condoned.

[17] It is our considered view that only a stiff custodial sentence meted out on the contemnor would redeem the dignity of this honourable apex court. We are aware of the fact that before the incident in the present case there have been many other cases of contempt of court, some committed by prominent lawyers, directors of companies and politicians, but such a severe sentence was not imposed. It must be stated here that the act of throwing objects like shoes has always been viewed upon as being obnoxious, demeaning and degrading when hurled at a human being and worst still thrown before a panel of judges of the apex court of the nation. Even with an apology tendered by the contemnor we do not think that it had lessened the gravity of the offence. On the submission of learned counsel for the contemnor that the emotional angle must be considered and the court must act with circumspection, we are of the view, indeed the offence committed by many of our prisoners is the result of their inability to control their emotion, frustration and anger because of unforeseen circumstances and not because they are born criminals. It must also not be forgotten the law states that one should not take the law into one's hands.

[18] Finally we would emphasize here that in taking the contempt proceedings and meting out the sentence of one year imprisonment on the contemnor, we are not doing it for personal interest, but to protect and preserve the power, respect and dignity of this honourable apex court. The one year sentence of imprisonment should be a period of self-evaluation and soul-searching for the contemnor over the contemptuous act committed by him. We sympathise with his wife and seven young children but the law has to take its course.